

Remarks

Claims 1 2, 9-11 and 23 have been amended, with new claim 24-27 having been added. No new matter has been added by way of these amendments.

Response to §102(b) rejections

Applicant respectfully submits that the anticipation rejection of claims 1 and 23 under US 3,728,040 (“Ioanesian”) should be withdrawn, as this reference taken alone fails to disclose each and every element of the claims and, therefore, fails to anticipate the claims.

In particular, the claims at issue each include, *inter alia*, a hydraulic braking device that consists of one or more bodies connected to the turbine shaft. This is best illustrated in Figure 1, where it is shown that the body itself, independent of other structures, effectuates the braking. In contrast, Ioanesian discloses a braking device that utilizes a stator and a rotor combination for building up fluid head for effectively counteracting mud pumps in forcing fluid through the turbine. (Column 3, lines 31-41). As such, Ioanesian fails to disclose a braking device that consists of one or more bodies, but discloses and teaches a multi-component system. Furthermore, Ioanesian cannot be used in an obvious with another reference, as any teaching of a single component braking system would teach away from Ioanesian.

Accordingly, Ioanesian fails to anticipate the current claims and applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 102.

New Claims

Claims 24-27 depend from claim 1 and are thus novel and non-obvious for at least the same reasons as argued for claim 1 above.

Applicant is of the opinion that this reply is fully responsive to all outstanding issues. Accordingly, the application is now deemed to be in condition for allowance, and notice to that effect is solicited. This paper is submitted in response to the Office Action mailed February 3, 2010 for which the three-month date for response was May 3, 2010. Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of two months in which to respond to the Office Action. This two-month extension will bring the deadline for response to July 3, 2010, which is within the six-month statutory period.

Please apply any charges not covered, or any credits, to Deposit Account 50-2183 (Reference Number 21.1106).

Dated: June 29, 2010

Respectfully submitted,

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